

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Call Authentication Trust Anchor)	WC Docket No. 17-97
)	

**COMMENTS OF
NCTA – THE INTERNET & TELEVISION ASSOCIATION**

NCTA – The Internet & Television Association (“NCTA”)¹ submits these comments in response to the Notice of Inquiry (“*Notice*”) in the above-captioned proceeding.² The *Notice* initiates an examination of how the Commission might facilitate “use of methods to authenticate telephone calls and thus deter illegal robocallers,” centering on the “SHAKEN/STIR” framework developed by ATIS and the SIP Forum.³ In particular, the Commission seeks comment on implementing authentication standards for telephone calls, the technical operation and implementation of the SHAKEN/STIR framework, and other public policy considerations.⁴

NCTA strongly supports the Commission’s decision to begin considering issues regarding call authentication and the possible implementation of the SHAKEN/STIR framework. The SHAKEN/STIR framework shows real promise in becoming a useful tool to help consumers block unwanted calls. As described in the *Notice*, the ability to authenticate calls has the

¹ NCTA is the principal trade association for the U.S. cable industry, representing cable operators serving approximately 85 percent of the nation’s cable television households and more than 200 cable program networks. The cable industry is the nation’s largest provider of broadband service after investing more than \$250 billion over the last two decades to build two-way interactive networks with fiber optic technology. Cable companies also provide state-of-the-art competitive voice service to more than 30 million customers.

² See *In re Call Authentication Trust Anchor*, Notice of Inquiry, FCC 17-89, WC Dkt. No. 17-97 (rel. July 14, 2017) (“*Notice*”).

³ *Id.* ¶¶ 1-2.

⁴ *Id.* ¶¶ 1, 13.

potential to “make it possible for subscribers and carriers to know that callers are who they say they are, reducing the risk of fraud and ensuring that callers can be held accountable for their calls.”⁵ Strong Commission support of SHAKEN/STIR and other industry-led efforts are critical to eventually solving the fraudulent robocalls problem.

As the *Notice* describes, the SHAKEN/STIR framework is not yet fully developed and, while some voice providers have made significant progress in advancing the standard-setting process and preparing for implementation, industrywide deployment of the method is not anticipated for several years.⁶ Of particular note, the framework only is intended to work “for calls carried over an Internet Protocol (IP) network.”⁷ Given that a complete transition of today’s voice networks to IP-based technology is still years away, it would be premature for the Commission to lock in specific regulatory or technical requirements based on the SHAKEN/STIR approach at this time.

The *Notice* seeks comment on the Commission’s role in advancing call authentication, and the “relevant time frames or milestones” it should consider.⁸ Along these lines, we believe the best results for consumers will come from providing flexibility to industry and allowing industry to take the lead. As described in a recent briefing from ATIS, industry participants have made significant progress on the SHAKEN/STIR framework without the need for Commission involvement, but there is more work to be done.⁹ The Commission should continue to provide industry groups with the time and flexibility necessary to continue making progress on this

⁵ *Id.* ¶ 1.

⁶ *See id.* ¶ 5.

⁷ *Id.*

⁸ *See id.* ¶¶ 14-15.

⁹ *See* Letter from Thomas Goode, Counsel, ATIS, to Marlene H. Dortch, Secretary, FCC, CG Dkt. No. 17-59 (filed June 30, 2017) (“ATIS Presentation”).

framework. In particular, the Commission should avoid imposing specific technological mandates.

Similarly, with respect to selecting a governance authority and a policy administrator,¹⁰ although it is helpful to initiate the process of considering these issues at this time, it would be premature for the Commission to designate which entities should fill these roles this early in the process. The Commission should strongly consider following the recommendation of ATIS to take a “hybrid” approach to governance in which the Commission would endorse the creation of an industry-developed multi-stakeholder group.¹¹ As described by ATIS, such an approach would be the best way to ensure that providers have the flexibility necessary to address the evolving threat presented by illegal robocalls.¹²

The *Notice* also seeks comment on how the authentication framework fits “within the larger policy landscape—both for combatting spoofing and unwanted and illegal robocalls, and for other public interest reasons.”¹³ As the Commission recognizes, even with significant efforts being devoted to the problem of illegal robocalls, the current environment “creates multiple opportunities for bad actors seeking to mislead victims and law enforcement.” The Commission should account for the reality that bad actors will always look for ways to exploit the network by establishing a safe harbor that encourages providers to take reasonable steps to fight illegal robocalls without holding them liable if those steps occasionally prove insufficient.¹⁴

¹⁰ See *Notice* ¶¶ 18-27.

¹¹ ATIS Presentation at 8.

¹² *Id.* at 9.

¹³ *Notice* ¶ 37.

¹⁴ See, e.g., Comments of Comcast Corporation, CG Dkt. No. 17-59 at 9 (filed July 3, 2017) (“Absent a safe harbor, voice providers may be reluctant to implement reasonable robocall mitigation techniques that, while highly effective, may not be completely error-free and could otherwise expose providers to enforcement action for inadvertently blocked calls.”).

The *Notice* also correctly identifies a number of additional issues that will be necessary to address, such as the privacy implications of a call authentication regime and the consequences of implementing the SHAKEN/STIR framework for IP-based calls before all carriers have fully migrated to IP-based networks.¹⁵ These and other issues were discussed as part of the Robocall Strike Force and will continue to be part of the continuing industry work around the SHAKEN/STIR framework.¹⁶ Accordingly, while it is wholly appropriate for the Commission to raise these important issues in the context of this *Notice*, at this point it may be premature for any more concrete action by the Commission.

Respectfully submitted,

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¹⁵ *Notice* ¶¶ 39, 42.

¹⁶ *See generally* Robocall Strike Force, *Robocall Strike Force Report* (Oct. 26, 2016), available at <https://transition.fcc.gov/cgb/Robocall-Strike-Force-Final-Report.pdf>.